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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,786	02/09/2005	Shigeo Sugimori	SON-2802	5695
23353 7590 09/28/2007 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			EXAMINER DU, THUAN N	
			ART UNIT 2116	PAPER NUMBER
			MAIL DATE 09/28/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/523,786

Applicant(s)

SUGIMORI, SHIGEO

Examiner

Thuan N. Du

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Amendment (dated 7/24/2007).
2. Claims 1-12 are presented for examination.
3. The rejections are respectfully maintained and reproduced infra for applicant's convenience.
4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Drawings***

5. The drawings were received on July 24, 2007. These drawings are acceptable by examiner.

### ***Claim Rejections - 35 USC § 103***

6. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admission of prior art [AAPA] in view of Sekizawa et al. [Sekizawa], U.S. Patent No. 5,410,651.
7. As per claim 3, AAPA teaches an information processing method realized in a system in which a processor including a plurality of central processing units (103, 104), internal storage means (101), boot storage means (105), and a direct memory access controller (102), external storage means (110) in which are stored a common code to be executed in common by the plurality of central processing units and an instruction code to be respectively executed by

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predetermined one of the central processing units [application's specification; p. 3, lines 6-9], and host processing means (111) are interconnected by a bus (3), the method characterized by comprising:

a step of selectively resetting, by means of the host processing means, the central processing unit [application's specification; p. 5, lines 13-14];

a step of writing, by means of the host processing means, a boot code to be executed by the reset central processing unit into the boot storage means [application's specification; p. 5, lines 14-15];

a step of canceling, by means of the host processing means, a reset state of the reset central processing unit [application's specification; p. 5, lines 15-16];

a step of loading, by means of one of the central processing units of which the reset state is canceled, the common code and the instruction code defined to be executed by the one of the central processing units of which the reset state is canceled, into the internal storage means from the external storage means with the use of the direct memory access controller, by executing the boot code written in the boot storage means by the one of the central processing units of which the reset state is canceled [application's specification; p. 5, lines 17-21], and canceling the reset state of one of other central processing units and executing the instruction code defined to be executed by the one of other central processing units of which the reset state is canceled [application's specification; p. 5, lines 23-25]; and

a step of executing, by means of the respective central processing units of which the reset states are canceled, the common code and the instruction code defined to be executed by the

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respective central processing units of which reset states are canceled, which are loaded in the internal storage means [application's specification; p. 5, line 28 to p. 6, line 1].

AAPA does not teach that the instruction code defined to be executed by the other processing units (second processor) is loaded separately from the instruction code defined to be executed by the one of the processing unit (first processor).

Sekizawa teaches that each of a plurality of processors can load a corresponding program only when needed. As such, the program corresponding to each processor is loaded separately.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of AAPA to load the instruction code corresponding to each processing unit separately as taught by Sekizawa. The modification would increase the reliability of the system by reducing the overload and underload of the processors.

8. As per claim 4, it would have been obvious to one of ordinary skill in the art to recognize that the method steps taught by AAPA-Sekizawa could be repeated for each newly loaded of instruction code and/or each of the other processors.

9. As per claims 1, 2 and 5-12, they do not teach or further define over the limitations recited in the rejected claims above. Therefore, claims 1, 2 and 5-12 are also rejected as being unpatentable over AAPA in view of Sekizawa for the same reasons set forth in the rejected claims above.

***Response to Arguments***

10. Applicant's arguments filed July 24, 2007 have been fully considered but they are not persuasive.

In response to applicant's argument that Sekizawa is nonanalogous art and its combination with AAPA would not have put one in possession of the claimed invention, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, modifying the teachings of AAPA to load the instruction code corresponding to each processing unit separately as taught by Sekizawa would reduce the size of the loaded executable code which is desirable in AAPA SOC system where the capacity of the memory is limited.

***Conclusion***

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan N. Du whose telephone number is (571) 272-3673. The examiner can normally be reached on Monday-Friday: 7:30 am - 4:00 pm, EST.

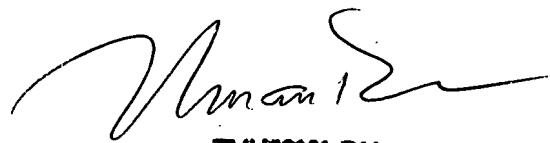
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached at (571) 272-3676.

Central TC telephone number is (571) 272-2100.

The fax number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

TD  
September 20, 2007



**THUAN N. DU**  
**PRIMARY EXAMINER**